

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MURUGANANANDAM ARUMUGAM,

Defendant.

Case No. CR19-41RSL

ORDER STRIKING TRIAL
DATE

This matter comes before the Court *sua sponte*. On June 17, 2020, over the defendant's objection, the Court continued the trial date in this case to September 1, 2020. See Dkt. #126. On July 30, 2020, the Honorable Ricardo S. Martinez, Chief United States District Judge, issued General Order No. 11-20, continuing all civil and criminal in-person hearings and trials in the Seattle and Tacoma Courthouses until September 8, 2020. Now, therefore, the Court FINDS as follows:

1. Considering the recommendations made by the Centers for Disease Control and Prevention ("CDC") and Public Health for Seattle and King County regarding social distancing measures required to stop the spread of disease, as well as the lack of personal protective equipment necessary to ensure the health and safety of all participants, it is not possible to proceed with a jury trial at this time. See W.D. Wash. Gen. Orders No. 02-20, 11-20.

2. Further, because of the recommendations that individuals at higher risk of contracting COVID-19 (including individuals with underlying health conditions, individuals aged 60 and older, and individuals who are pregnant) avoid large groups of people, at this time,

1 it would be difficult, if not impossible, to obtain a jury pool that would represent a fair cross
2 section of the community. Based on recommendations, it would also be medically inadvisable
3 to do so.

4 3. In addition, the Court has been advised that defendant faces new criminal charges
5 in King County Superior Court and is currently incarcerated at King County Jail awaiting a
6 September 14, 2020 trial date in that case.

7 4. For these reasons, the Court finds that a failure to continue the trial date in this
8 case would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).
9 Due to the Court's reduced ability to obtain an adequate spectrum of jurors, and the impact of
10 the aforementioned public health recommendations on Court operations, the Court specifically
11 finds that the ends of justice served by continuing the trial in this case outweigh the best interest
12 of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(7)(A); see also W.D.
13 Wash. Gen. Orders No. 02-20, 11-20.

14 IT IS THEREFORE ORDERED that the September 1, 2020 trial date in this case be
15 STRICKEN. The Court will conduct a status conference to schedule a new trial date for the
16 earliest possible date on the Court's calendar after the Courthouses reopen for in-person
17 hearings and trials.

18 IT IS FURTHER ORDERED that the period of time from the date of this Order up to and
19 including September 8, 2020, shall be excludable time pursuant to 18 U.S.C. § 3161. See W.D.
20 Wash. Gen. Orders No. 02-20, 11-20.

21 IT IS SO ORDERED.

22 DATED this 26th day of August, 2020.

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25 Robert S. Lasnik
26 United States District Judge
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